

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:11-cr-0126-SEB-MJD
	)	
RODNEY ADAMS,	)	- 01
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On June 21, 2018, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on May 29, 2018. Defendant Adams appeared in person with his appointed counsel William Dazey. The government appeared by Will McCoskey, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Angela Smith.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Adams of his rights and provided him with a copy of the petition. Defendant Adams orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Adams admitted violation 1. [Docket No. 42.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

<b>Violation</b>	
<b><u>Number</u></b>	<b><u>Nature of Noncompliance</u></b>

- 1           **“The defendant shall refrain from any unlawful use of a controlled substance.”**

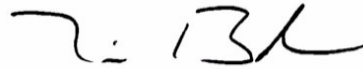
As previously reported to the Court, the offender tested positive for marijuana on January 3, 16, February 12, and March 5, 2018. Additionally, the offender’s urine sample from March 5, 2018, confirmed positive by Alere Laboratory for methamphetamine. Mr. Adams admitted using marijuana prior to each sample collected. On March 26, 2018, he admitted he had been producing, selling, and ingesting methamphetamine.

4.       The government moved to dismiss violation 2 and the same granted.
5.       The parties stipulated that:
- (a)     The highest grade of violation is a Grade B violation.
  - (b)     Defendant’s criminal history category is VI.
  - (c)     The range of imprisonment applicable upon revocation of supervised release, therefore, is 21 to 27 months’ imprisonment.
5.       Parties jointly recommended a sentence of fifteen (15) months with no supervised release to follow. Defendant requested a recommendation placement at FCI Terre Haute and drug counseling.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of fifteen (15) months with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge’s action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Terre Haute and drug counseling.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: 06/26/2018

A handwritten signature in black ink, appearing to read 'T. Baker', is written above a horizontal line.

Tim A. Baker  
United States Magistrate Judge  
Southern District of Indiana

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